IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 31157 of 2007(H)

PETITIONERS:

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1. K.T.ZUHRABI,W/O. ADV.M.MOHAMED,
   AGED 56 YEARS, "SHABNA," HOUSE NO.19/1993,
   M.N.ROAD, CHALAPPURAM, CALICUT-2

2. DR.R.SANTHAKUMAR PRABHU,
   S/O. K.R.PRABHU, AGED 71 YEARS
   19/1996,MADHAVAN NAIR ROAD,
   CHALAPPURAM, CALICUT-2

BY ADV. DR.K.B.MUHAMED KUTTY (SR.)
SRI.JACOB E SIMON

RESPONDENTS:

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1. THE STATE OF KERALA
   REPRESENTED BY ITS SECRETARY
   PUBLIC WORKS DEPARTMENT
   SECRETARIAT, TRIVANDRUM 01.

2. THE DISTRICT COLLECTOR
   CIVIL STATION, CALICUT 020.

3. THE SPECIAL TAHSILDAR (LAND ACQUISITION)
   CIVIL STATION P.O.
   CALICUT-673 020.

4. THE EXECUTIVE ENGINEER,
   P W D ROAD DIVISION
   CALICUT 20.

5. THE LAND REVENUE COMMISSIONER
   OFFICE OF THE LAND REVENUE COMMISSIONER
   TRIVANDRYM.

BY G.P. SHRI BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

W.P.(C) No.31157 of 2007 H

Dated, this the 31st day of October, 2007

JUDGMENT

Heard. Admitted. Learned Government Pleader takes notice for respondents 1 and 6. Notice to other respondents dispensed with. Writ Petition itself is heard and disposed of.

2. The counsel for the petitioners has submitted that a decision had already been taken to change the alignment. It is submitted that the respondents have decided to reduce the width of the road from 15 metres to 12 metres and in view of the change in the alignment the request to acquire land from either side of the road can also be considered without causing difficulties to anybody.

In the result, the Writ Petition is disposed of with a direction to respondents 2 to 4 to consider and pass appropriate orders in Exts.P6 and P7 representations filed by the first petitioner and Exts.P9 and P10 representations filed by the second petitioner while re-fixing the alignment.

The Writ Petition is disposed of as above.

K. PADMANABHAN NAIR,
JUDGE.

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